



FACT SHEET

MINOR CONSENT SERVICES

What is Minor Consent?

Under the California Family Code, certain limited medical services can be provided to minors (youth) without their parent's or guardian's consent, including substance use disorder (SUD) treatment. Minors may consent to SUD treatment services without parental or guardian permission. These services, referred to as "minor consent," are paid for with state-only funds. The youth can independently establish Medi-Cal eligibility for specific, limited services and may exclude their parent's or guardian's income and resources on his/her Medi-Cal application. State and federal laws and regulations protect the privacy and identity of youth applying for Minor Consent services. As such, providers are prohibited from contacting the parents or guardians of these youth.

Source: Title 22, California Code of Regulations (CCR), Sections 50147.1, 50167(a)(6)(D)4., 50063.5, 50157(f)(3), 50703(d); Family Code, Section 6929; Welfare and Institutions Code, Section 14010.

Minor Consent Services

Title 22, CCR, Section 50063.5 defines Minor Consent services as services related to:

- Sexual assault
- Drug or alcohol abuse for children 12 years of age or older
- Pregnancy
- Family Planning

- Venereal disease for children 12 years of age or older
- Sexually transmitted diseases as defined by the director of California Department of Health Care Services for children 12 years of age or older
- Mental health care for children 12 years of age or older who are one of the following:
 - In danger of causing serious physical or mental harm to self or others; or
 - An alleged victim of incest or child abuse.

Drug Medi-Cal (DMC) Minor Consent Services

DMC services are Medi-Cal's substance use disorder (SUD) services. Minor Consent SUD services are primarily outpatient drug-free counseling services. Each county welfare office chooses from a limited menu of services it can offer minors:

- Between 12 and 21 years of age, he/she can receive SUD services
- Narcotic Treatment Program services are limited to youth age 18 to 21 years
- Pregnant or postpartum females may receive SUD services that are related to her health during pregnancy or the postpartum period

Source: Title 22, CCR, Sections 50147.1, 50063.5, 50157(f)(3), 50167(a)(6)(D), 50703(d)

Minor Consent Eligibility

Minor consent eligibility is for a 30-day period. The minor must reapply in person at the county welfare office to receive subsequent Minor Consent services. Children receiving Minor Consent DMC services are not eligible for full scope medical services such as Early and Periodic Screening, Diagnosis and Treatment supplemental services.

How are Minor Consent Services Paid?

Minor Consent services are only supported with State General Funds. Except for services provided to pregnant and postpartum minors, no federal funds are used.

Confidentiality

Under title 42, Code of Federal Regulations (CFR), Section 2.14, the SUD program and/or county cannot disclose that the minor is receiving Minor Consent services. Title 42 CFR states, "If a minor patient acting alone has the legal capacity under applicable State law to apply for and obtain alcohol or drug abuse treatment, any written consent for disclosure authorized under subpart C of these regulations may be given only by the minor patient."